

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**MAXIMO MARTINEZ,**

Plaintiff,

v.

**SHERIFF LUPE VALDEZ,**

Defendant.

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Civil Action No. **3:06-CV-2122-L**

**ORDER**

This is a civil rights action brought under 42 U.S.C. § 1983 by a *pro se* prisoner. Pursuant to 28 U.S.C. § 636(b), and an order of the court in implementation thereof, this action was referred to the United States magistrate judge for proposed findings and recommendation. On May 1, 2007, the Findings and Recommendation of the United States Magistrate Judge (“Report”) were filed, to which no objections were filed.\*

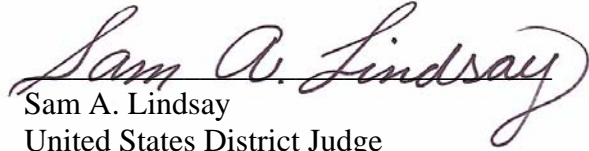
After making an independent review of the pleadings, file and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings of the magistrate judge are correct in recommending dismissal of this action for want of prosecution, pursuant to Fed. R. Civ. P. 41(b), because Plaintiff has not answered repeated interrogatories from the magistrate judge seeking additional information about the factual basis for his suit. The findings

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\*A copy of the magistrate judge’s Report was mailed to Plaintiff at his address of incarceration; however, the Report was returned undeliverable, and the Dallas County Sheriff’s Department indicated that he is no longer in the custody of the Dallas County Jail. Plaintiff has not notified this court of any changes in address, pursuant to Local Rules 83.13, 83.14.

are, therefore, **accepted** as those of the court. Accordingly, this case is hereby **dismissed without prejudice**.

**It is so ordered** this 31<sup>st</sup> day of May, 2007.

  
Sam A. Lindsay  
United States District Judge